

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MARION DIAGNOSTIC CENTER, LLC,  
ET AL.,

Plaintiffs,

v.

BECTON, DICKINSON, AND CO., et al.  
Defendants.

Case No. 3:18-cv-01059

Judge Nancy J. Rosenstengel

**AGREED MOTION TO EXTEND TIME  
FOR ALL DEFENDANTS TO RESPOND TO PLAINTIFFS' COMPLAINT**

Cardinal Health, Inc. ("Cardinal Health"), by its undersigned attorneys, requests that this Court grant this agreed motion to extend the deadline for all Defendants to answer or otherwise respond to Plaintiffs' Complaint, and states as follows:

1. Plaintiffs filed their Complaint (Dkt. No. 1) on May 3, 2018. Plaintiffs caused the Complaint to be served on Cardinal Health, and at least some other Defendants, on May 8, 2018.

2. Defendants request an extension of the deadline for answering or otherwise responding to the Plaintiffs' Complaint to June 29, 2018. This is the first request for extension of time by Defendants to answer or otherwise respond to the Complaint. This motion is not made for purposes of delay but to allow the Defendants to further investigate the allegations of the Complaint and to consolidate as much as possible the briefing of any arguments for dismissal pursuant to Fed. R. Civ. P. 12 or otherwise that Defendants may wish to make.

3. The Parties agree that the filing of this unopposed motion shall not constitute waiver of (a) any jurisdictional defenses that may be available under Rule 12 of the Federal Rules of Civil Procedure, (b) any affirmative defenses under Rule 8 of the Federal Rules of Civil

Procedure, or (c) any other statutory or common law defenses that may be available to Defendants.

4. Counsel for Plaintiffs has been consulted and has agreed to this motion. Counsel for all Defendants have also been consulted and have agreed to this motion.

5. A draft order is attached to this Motion as Exhibit A and will also be submitted in a format compatible with Microsoft Word to NJRpd@ilsd.uscourts.gov.

Dated: May 23, 2018

Respectfully submitted,

/s/ Paula W. Render

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**[PROPOSED] ORDER EXTENDING TIME  
FOR ALL DEFENDANTS TO RESPOND TO PLAINTIFFS' COMPLAINT**

IT IS HEREBY ORDERED, pursuant to the agreement of the parties, that the deadline for all Defendants to answer or otherwise respond to Plaintiffs' Complaint is hereby extended to June 29, 2018.

Dated: May 23, 2018

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The Honorable Nancy J. Rosenstengel  
United States District Judge

**CERTIFICATE OF SERVICE**

I certify that I caused a copy of this Agreed Motion to Extend Time For All Defendants To Respond To Plaintiffs' Complaint to be served on all counsel of record via the Court's Electronic Filing system, and on counsel for the following parties via email:

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/s/ Paula W. Render

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